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4 **THE HONORABLE STANLEY A. BASTIAN**

5 **UNITED STATES DISTRICT COURT**
6 **EASTERN DISTRICT OF WASHINGTON**

7 CHRISTOPHER-DAVID
8 COOMBES,

9 Plaintiff,

10 v.

11 CARRIE COOMBES; HENRY
12 RAWSON; VICTORIA MINTO;
SHELLY LARSON;
CATHERINE HALEY; HENRY
MATHIS, et al.,

13 Defendants.

14 NO. 2:22-cv-00054-SAB
STATE DEFENDANTS'
ANSWER AND
AFFIRMATIVE DEFENSES
AND JURY DEMAND

15 Defendants, the woman; (unknown) who works at DCFS and the woman;
16 (unknown) Wood who acts as Child Protective Services (CPS) in answer to
17 Plaintiff's Complaint, hereby enter this general denial to the Complaint filed by
18 Plaintiff that initiated the present action. The general denial includes a denial of
19 Plaintiff's allegations contained under each section of the Complaint, including the
20 Jurisdictional Basis, Statement of Case and Prayer for Relief.

21 By Way of FURTHER ANSWER and FIRST AFFIRMATIVE DEFENSE,
22 Defendants allege:

STATE DEFENDANTS'
ANSWER AND AFFIRMATIVE
DEFENSES AND JURY
DEMAND

- 1 1. SERVICE OF PROCESS -that the summons and complaint were never
- 2 properly served upon the Defendants.
- 3 2. JURISDICTION - that the Court lacks jurisdiction over the subject matter of
- 4 this action.
- 5 3. CLAIM FILING – that, to the extent Plaintiff intends to make any claims
- 6 under the laws of the State of Washington, the Plaintiff has failed to file a claim
- 7 against the State of Washington as required by RCW 4.92.100 and .110.
- 8 4. RES JUDICATA - that Plaintiff's action against these Defendants is barred
- 9 by the doctrine of res judicata and/or collateral estoppel.
- 10 5. FAILURE TO STATE A CLAIM - that the Plaintiff has failed to state a
- 11 claim upon which relief may be granted.
- 12 6. ABSTENTION – that the Plaintiff's action is barred by the doctrine of
- 13 abstention.
- 14 7. ELEVENTH AMENDMENT IMMUNITY - that the Defendants, to the
- 15 extent they are sued in their official capacities, are not subject to civil suit for
- 16 damages under the Eleventh Amendment of the Constitution of the United States.
- 17 8. YOUNGER ABSTENTION - that this action should be dismissed pursuant
- 18 to the Younger abstention doctrine.

19 WHEREFORE, Defendants pray that Plaintiff's Complaint be dismissed
20 with prejudice and that Plaintiff take nothing by his Complaint and that Defendants
21 be allowed their costs and reasonable attorney fees herein.

22

STATE DEFENDANTS'
ANSWER AND AFFIRMATIVE
DEFENSES AND JURY
DEMAND

2

ATTORNEY GENERAL OF WASHINGTON
Torts Division
1116 West Riverside, Suite 100
Spokane, WA 99201-1106
(509) 456-3123

In the event this case proceeds to trial, Defendants demand that this case be tried to a jury.

DATED this 13th day of April, 2022.

ROBERT W. FERGUSON
Attorney General

s/ Taylor Hennessey
TAYLOR M. HENNESSEY, WSBA No. 54135
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PROOF OF SERVICE

I certify that I electronically filed a copy of this document using the CM/ECF filing system and that I sent a copy of such filing in the U.S. Mail to the non-ECF participant to the following:

CHRISTOPHER-DAVID COOMBES
211 CREST ST.
SOLDATNA, AK 99669

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED this 13th day of April, 2022, at Spokane, Washington.

s/ Jodi Gress
LEGAL ASSISTANT